

# ADEM

Site: \_\_\_\_\_  
Break: 3.7  
Other: \_\_\_\_\_

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000007  
GREAT SEAL

Guy Hunt  
Governor

3525

## ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*Moyn P*

Leigh Pegues, Director

June 24, 1987

1751 Federal Drive  
Montgomery, AL  
36130  
205/271-7700

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Field Offices:

Unit 806, Building 8  
225 Oxmoor Circle  
Birmingham, AL  
35209  
205/942-6168

Mr. W. J. Derocher  
Plant Manager  
Olin Chemicals  
P. O. Box 28, Olin Road  
McIntosh, AL 36553

*receiving H<sub>2</sub>O =  
Tombigbee River*

P.O. Box 953  
Decatur, AL  
35602  
205/363-1713

Dear Mr. Derocher:

Re: Final NPDES Permit Number AL0001945

2204 Perimeter Road  
Mobile, AL  
36615  
205/479-2336

Attached is the issued copy of the above referenced permit. Permit limitations were approved as contained in the draft permit(s) provided for your comments.

We will look forward to receiving monitoring data in accordance with the conditions of your Permit. Enclosed for your use in submitting effluent reports is a copy of the appropriate monitoring form(s) which have been adapted to your specific discharge(s). This form should be photocopied, completed, and submitted by the 28th of the month following the period for which data is reported, as specified in your permit.

If there are questions or comments in reference to the permit or related monitoring requirements, please contact Treena Piznar of this office.

Sincerely,

*John A. Poole, Jr.*  
John A. Poole, Jr.  
Chief  
Industrial Branch  
Water Division

JAP/TGP/cc

Enclosure

cc: EPA, w/enc.  
Marilyn Elliott, w/enc.



During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) (outfall(s)), described more fully in the permittee's application:

**DSN001b: Treated sanitary wastewaters**

**Such discharge shall be limited and monitored by the permittee as specified below:**

[illegible]

\* See Part II., A., 4; Part II., A., 5; and Part II., B., 3.

**\*\* Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for each effluent characteristic in accordance with Part 1.B.2.**

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During the period beginning on the effective date of this permit and lasting through the expiration date of this permit, the permittee is authorized to discharge from the following point source(s) (outfalls(s)), described more fully in the permittee's application:

DSN001a: Process wastewater from diaphragm cell chlorine sodium chlorate, and sodium hypochlorite plants, treated groundwater from RCRA Corrective Action Wells #3 & 5,\*\*\*, and coal pile runoff.

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Average	Daily Maximum	Measurement Frequency	Sample Type
Flow (MGD)	-	-	-	Daily	Instantaneous
pH	5.0 s.d.	N/A	9.0 s.u.	Daily	Grab
Copper, Total	-	9.8 lbs/day	24 lbs/day	1/quarter	24-hour Composite
Lead, Total	-	4.8 lbs/day	11.8 lbs/day	1/quarter	24-hour Composite
Nickel, Total	-	7.4 lbs/day	19.4 lbs/day	1/quarter	24-hour Composite
Total Residual Chlorine	-	17.0 lbs/day	28.0 lbs/day	Daily	Grab
Total Suspended Solids	-	911 lbs/day	1823 lbs/day	1/week	24-hour Composite

**\*\* Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for each effluent characteristic in accordance with Part 1.8.2.**

\*\*\*See Part III. J. for additional requirements relative to these sources

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DSN002: Treated groundwater from RCRA Corrective Action Well #4

Effluent Characteristic	Discharge Limitations*			Monitoring Requirements**	
	Daily Minimum	Daily Average	Daily Maximum	Measurement Frequency	Sample Type
Flow (MGD)	-	-	-	1/month	Totalized
pH	5.0 s.u.	N/A	9.0 s.u.	1/week	Grab
Total Dissolved Solids	-	-	-	3/week	Grab
Mercury, Total	-	-	-	Daily > 1/MD (per 7/8/88 mod.)	Grab
Toxicity	See Part III.G. of this permit.				

**See Part III.I. for additional requirements relative to these sources.**

**\*\* Samples collected to comply with the monitoring requirements specified above shall be collected at the following location: At the nearest accessible location just prior to discharge and after final treatment. Samples taken shall then be analyzed for each effluent characteristic in accordance with Part I.B.2.**

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B. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Test Procedures

Test procedures for the analysis of pollutants shall conform to guidelines published pursuant to Section 304(h) of the FWPCA, U.S.C. Section 1314(h).

3. Recording of Results

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The facility name and location, point source number, date, time and exact place of sampling;
- b. The name(s) of person(s) who obtained the samples or measurements;
- c. The dates and times the analyses were performed;
- d. The name(s) of the person(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of all required analyses.

4. Records Retention and Production

All records and information resulting from the monitoring activities required by this permit, including but not limited to all records of analyses performed and calibration and maintenance of instrumentation, copies of all reports required by this permit, records of all data used to complete the application for this permit, and all other records required to be maintained pursuant to the terms and conditions of this permit, the Federal Act and the State Act, shall be retained for a minimum of three (3) years after their creation, or longer if requested by the Director or his designee. In the case of litigation regarding the discharge of pollutants by the permittee, such records shall be retained until such litigation is resolved. Upon the written request of the Director or his designee, the permittee shall provide the Director with a copy of any record required to be retained by this paragraph.

## 5. Reporting

- a. Monitoring results obtained during the previous (1) months(s) shall be summarized for each month on a Discharge Monitoring Report (DMR) Form approved by the Department, and submitted to the Director no later than the 28th day of the month following this monitoring period. The first report is due August 28, 1987. If the permittee, using approved analytical methods as specified in Part I.,B.,2., monitors any discharge from a point source identified in Part I., A. of this permit more frequently than required by this permit, the results of such monitoring shall be included in the calculation and reporting of values on the DMR Form and the increased frequency shall be indicated on the DMR Form. In the event no discharge from a point source identified in Part I.,A. of this permit and described more fully in the permittee's application occurs during a monitoring period, the permittee shall report "No Discharge" for such period on the appropriate DMR Form.
- b. All reports and forms required to be submitted by this permit, the AWPCA and the Department's rules and regulations, shall be signed by a "responsible official" of the permittee as defined in the Department's rules and regulations or a "duly authorized representative" of such official as defined in 40 C.F.R. Section 122.22(b) and shall bear the following certification:

"I certify under penalty of law that this document and attachments were prepared under the direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- c. All reports and forms required to be submitted by this permit, the AWPCA and the Department's rules and regulations, shall be addressed to:

Director  
Alabama Department of Environmental Management  
1751 Federal Drive  
Montgomery, Alabama 36130  
Attention: Water Division

6. Noncompliance Notification

- a. If for any reason, the permittee's discharge (1) does not comply with any daily minimum or maximum discharge limitation for an effluent characteristic specified in Part I., A. of this permit which is denoted by an "(X)", (2) threatens human health or welfare, fish or aquatic life, or water quality standards, (3) does not comply with an applicable toxic pollutant effluent standard or prohibition established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), (4) contains a quantity of a hazardous substance which has been determined may be harmful to the public health or welfare under Section 311(b)(4) of the FWPCA, 33 U.S.C. Section 1321(b)(4), or (5) exceeds any discharge limitation for an effluent characteristic as a result of an unanticipated bypass or upset, the permittee shall orally report the occurrence and circumstances of such discharge to the Director within 24-hours after the permittee becomes aware of the occurrence of such discharge. In addition to the oral report, the permittee shall submit to the Director a written report as provided in c. below, no later than five (5) days after becoming aware of the occurrence of such discharge.
- b. If for any reason, the permittee's discharge does not comply with any daily maximum or minimum discharge limitation specified in Part I., A. of this permit, the permittee shall submit to the Director a written report as provided in c. below, which report shall be submitted with the next Discharge Monitoring Report required to be submitted by Part I., B., 5. of this permit after becoming aware of the occurrence of such discharge.
- c. Any written report required to be submitted to the Director by a. or b. shall include the following information:
  1. A description of the discharge and cause of noncompliance;
  2. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and

3. A description of the steps taken and/or being taken to reduce or eliminate the noncomplying discharge and to prevent its recurrence.
7. Reduction, Suspension, or Termination of Monitoring and/or Reporting
  - a. The Director may, with respect to any point source identified in Part I., A. of this permit, authorize the permittee to reduce, suspend or terminate the monitoring and/or reporting required by this permit upon the submission of a written request for such reduction, suspension or termination by the permittee, supported by sufficient data which demonstrates to the satisfaction of the Director that the discharge from such point source will continuously meet the discharge limitations specified in Part I., A. of this permit without treatment.
  - b. It remains the responsibility of the permittee to comply with the monitoring and reporting requirements of this permit until written authorization to reduce, suspend or terminate such monitoring and/or reporting is received by the permittee from the Director.

#### C. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the discharge limitations specified in Part I., A. in accordance with the following schedule:

**Operational Level Attained- - - -Effective Date of Permit**

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

## D. TERMINATION OF DISCHARGE

The permittee shall notify the Director, in writing, when all discharges from any point source(s) identified in Part I., A. of this permit have permanently ceased.

## PART II

## A. MANAGEMENT REQUIREMENTS

## 1. Facilities Operation

The permittee shall at all times maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee to achieve compliance with the terms and conditions of this permit. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the terms and conditions of this permit.

## 2. Best Management Practices

- a. Dilution water shall not be added to achieve compliance with discharge limitations except when the Director or his designee has granted prior written authorization.
- b. The permittee shall prepare, implement, and maintain a Spill Prevention, Control and Countermeasures (SPCC) Plan in accordance with 40 C.F.R. Section 112.1-.7 if required thereby.
- c. The permittee shall prepare, submit for approval and implement a Best Management Practices (BMP) Plan for containment of any or all process liquids or solids, in a manner such that these materials do not present a significant potential for discharge, if so required by the Director or his designee.

## 3. Adverse Impact

The permittee shall promptly take all reasonable steps to minimize any adverse impact to waters resulting from noncompliance with any discharge limitation specified in Part I., A. of this permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

## 4. Bypass

- a. Any bypass is prohibited except as provided in b. and c. below:
- b. A bypass is not prohibited if:
  1. It does not cause any discharge limitation specified in Part I., A. of this permit to be exceeded; and
  2. It is necessary for essential maintenance of a treatment or control facility or system to assure efficient operation of such facility or system.
- c. A bypass is not prohibited and need not meet the discharge limitations specified in Part I., A. of this permit if:
  1. It is unavoidable to prevent loss of life, personal injury, or severe property damage;
  2. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime; and
  3. The permittee submits a written request for authorization to bypass to the Director at least ten (10) days prior to the anticipated bypass (if possible), the permittee is granted such authorization, and the permittee complies with any conditions imposed by the Director to minimize any adverse impact to waters resulting from the bypass.
- d. The permittee has the burden of establishing that each of the conditions of b. or c. have been met to qualify for an exception to the general prohibition against bypassing contained in a. and an exemption, where applicable, from the discharge limitations specified in Part I., A. of this permit.

## 5. Upset

- a. A discharge which results from an upset need not meet the discharge limitations specified in Part I., A., of this permit if:

1. No later than 24-hours after becoming aware of the occurrence of the upset, the permittee orally reports the occurrence and circumstances of the upset to the Director or his designee; and
2. No later than five (5) days after becoming aware of the occurrence of the upset, the permittee furnishes the Director with evidence, including properly signed, contemporaneous operating logs, or other relevant evidence, demonstrating that (i) an upset occurred; (ii) the permittee can identify the specific cause(s) of the upset; (iii) the permittee's facility was being properly operated at the time of the upset; and (iv) the permittee promptly took all reasonable steps to minimize any adverse impact to waters resulting from the upset.

b. The permittee has the burden of establishing that each of the conditions of a. have been met to qualify for an exemption from the discharge limitations specified in Part I., A. of this permit.

6. Removed Substances

Solids, sludges, filter backwash, or any other pollutant or other waste removed in the course of treatment or control of wastewaters shall be disposed of in a manner such as to prevent any such materials from entering waters.

7. Loss or Failure of Treatment Facilities

Upon the loss or failure of any treatment facility, including but not limited to the loss or failure of the primary source of the treatment facility, the permittee shall, where necessary to maintain compliance with the discharge limitations specified in Part I., A. of this permit, or any other terms or conditions of this permit, cease, reduce or otherwise control production and/or all discharges until treatment is restored.

B. RESPONSIBILITIES

1. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. All discharges from point sources identified in Part I., A. of this permit shall be consistent with the terms and conditions of this permit. Except as otherwise provided, any discharge more frequently than or at a level in excess of the discharge limitations specified in Part I., A. of this permit and any failure to comply with any other term or condition of this permit shall constitute a violation of this permit.

## 2. Change in Discharge

- a. Any anticipated facility expansions, production increases, process modifications or treatment facility modifications which would cause any discharge limitation specified in Part I., A. of this permit to be exceeded or otherwise not be authorized by this permit, shall be reported to the Director by submission of a new permit application and, when required, an engineering report and preliminary engineering plans and specifications prior to effecting such expansion, increase or modification. Such new or increased discharge is not authorized unless and until the Director issues a new or modified permit authorizing such discharge.
- b. The permittee shall notify the Director as soon as it knows or has reason to believe that it has begun or expects to begin to discharge any pollutant listed as a toxic pollutant pursuant to Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), any substance designated as a hazardous substance pursuant to Section 311(b)(2), 33 U.S.C. Section 1321(b)(2), any waste listed as a hazardous waste pursuant to Code of Alabama 1975, Section 22-30-10, which is not subject to any discharge limitation specified in Part I., A. of this permit and was not reported in the permittee's application, or was reported in the permittee's application in concentrations or mass rates lower than that which the permittee has reason to believe has begun to be discharged or expects to begin to discharge.

## 3. Compliance with Toxic Pollutant Effluent Standard or Prohibition

If any applicable effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the FWPCA, 33 U.S.C. Section 1317(a), for a toxic pollutant discharged by the permittee and such standard or prohibition is more stringent than any discharge limitation on the pollutant specified in Part I., A. of this permit, or controls a pollutant not limited in Part I., A. of this permit, this permit shall be modified to conform to the toxic pollutant effluent standard or prohibition and the permittee shall be notified of such modification. If this permit has not been modified to conform to the toxic pollutant effluent standard or prohibition before the effective date of such standard or prohibition, the authorization to discharge in this permit

shall be void to the extent that any discharge limitation on such pollutant in Part I., A. of this permit exceeds or is inconsistent with the established toxic pollutant effluent standard or prohibition.

4. Compliance with Water Quality Standards and Other Provisions

- a. On the basis of the permittee's application, plans, or other available information, the Department has determined that compliance with the terms and conditions of this permit will assure compliance with the applicable water quality standards.
- b. Compliance with permit terms and conditions notwithstanding, if the permittee's discharge(s) from point sources identified in Part I., A. of this permit cause or contribute to a condition in contravention of State water quality standards, the Department may require abatement action to be taken by the permittee in emergency situations or modify the permit pursuant to the Department's rules and regulations, or both.
- c. If the Department determines, on the basis of a notice provided pursuant to Part II., B., 2. of this permit or any investigation, inspection or sampling, that a modification of this permit is necessary to assure maintenance of water quality standards or compliance with other provisions of the State or FWPCA, the Department may require such modification and, in cases of emergency, the Director may prohibit the noticed act until the permit has been modified.

5. Right of Entry and Inspection

The permittee shall allow any employee of the Department upon proper identification:

- a. To enter, at any reasonable time, upon any of the permittee's premises where a point source is located or in which any records are maintained pursuant to the terms and conditions of this permit, the FWPCA or the AWPCA;
- b. To have access to and copy, at reasonable times, any records required to be maintained by the terms and conditions of this permit;
- c. To inspect any monitoring equipment or practices being maintained to comply with this permit, or any treatment or control facilities or systems being maintained to comply with this permit; and

- d. To have access to and sample any discharge resulting directly or indirectly from activities or operations of the permittee.

6. Updating Information

- a. The permittee shall inform the Director of any change in the permittee's mailing address or telephone number or in the permittee's designation of a facility contact or office(s) having the authority and responsibility to prevent and abate violations of the AWPCA, the Department's rules and regulations and the terms and conditions of this permit, in writing, no later than ten (10) days after such change. Upon request of the Director or his designee, the permittee shall furnish the Director with an update of any information provided in the permit application.
- b. If the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information with a written explanation for the mistake and/or omission.

7. Permit Modification, Suspension and Revocation

- a. This permit may be modified, suspended or revoked, in whole or in part, during its term for cause, including but not limited to, the following:
  - 1. Violation of any term or condition of this permit;
  - 2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
  - 3. Materially false or inaccurate statements or information in the permit application or the permit;
  - 4. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
  - 5. Errors in calculation of discharge limitations or typographical or clerical errors; or
  - 6. The permittee's discharge threatens human life or welfare.

- b. The filing of a request by the permittee for modification, suspension or revocation of this permit, in whole or in part, does not stay any permit term or condition.

8. Duty to Provide Information

The permittee shall furnish to the Director, within a reasonable time, any information which the Director or his designee may request to determine whether cause exists for modifying, suspending, or revoking this permit, in whole or in part, or to determine compliance with this permit.

9. Transfer of Permit

This permit may not be transferred without notice to the Director and subsequent modification or revocation and reissuance of the permit. In the case of a change in ownership or control of the permittee's premises only, notice to the Director is required at least 30 days prior to the change. In the case of a change in ownership or control of the permittee's premises accompanied by a change or proposed change in effluent characteristics, notice to the Director is required at least 180 days prior to the change. Whenever the Director is notified of a change in ownership or control, he may require the submission of a new permit application.

10. Permit Continuation

If the permittee intends to continue to discharge beyond the expiration date of this permit, the permittee shall file a written request for reissuance of this permit at least 180 days prior to its expiration. The Director may require the submission of a new permit application.

11. Groundwater

This permit does not authorize any discharge to groundwater. Should a threat of groundwater contamination occur, groundwater monitoring may be required to properly assess the degree of the problem and the Director may require that the permittee undertake measures to abate any such discharge and/or contamination.

PART III

A. CIVIL AND CRIMINAL LIABILITY

Except as provided in Part II., A., 4. (Bypass) and Part II., A., 5. (Upset), nothing in this permit shall be construed to relieve

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the permittee of civil or criminal liability under the AWPCA or FWPCA for noncompliance with any term or condition of this permit.

B. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties to which the permittee is or may be subject under Section 311 of the FWPCA, 33 U.S.C. Section 1321.

C. PROPERTY AND OTHER RIGHTS

This permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, or any infringement of Federal, State or local laws or regulations.

D. AVAILABILITY OF REPORTS

Except for data determined to be confidential under Code of Alabama 1975, Section 22-22-9(c), all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. Effluent data shall not be considered confidential. Knowingly making any false statement in any such report may result in the imposition of criminal penalties as provided for in Section 309 of the FWPCA, 33 U.S.C. Section 1319, and Code of Alabama 1975, Section 22-22-14.

E. DEFINITIONS

1. Bypass - means the intentional diversion of waste streams from any portion of a treatment facility.
2. Daily average - means the arithmetic mean value of all sample results obtained during a calendar month.
3. Daily maximum - means the highest value of any individual sample result obtained during a day.
4. Daily minimum - means the lowest value of any individual sample result obtained during a day.
5. Day - means any consecutive 24-hour period.
6. Department - means the Alabama Department of Environmental Management.
7. Director - means the Director of the Department.

8. Discharge - means "the addition, introduction, leaking, spilling or emitting of any sewage, industrial waste, pollutant or other waste into waters of the state." Code of Alabama 1975, Section 22-22-1(b)(9).
9. Point Source - means "any discernable, confined and discrete conveyance, including but not limited to any pipe, channel, ditch, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, . . . from which pollutants are or may be discharged." Section 502(14) of the FWPCA, 33 U.S.C. Section 1362(14).
10. Pollutant - includes for purposes of this permit, but is not limited to, those pollutants specified in Code of Alabama 1975, Section 22-22-1(b)(3) and those effluent characteristics, excluding flow, specified in Part I., A., of this permit.
11. Severe Property Damage - means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
12. Upset - means an exceptional incident in which there is an unintentional and temporary noncompliance with technology-based permit discharge limitations because of factors beyond the control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate facilities, lack of preventive maintenance, or careless or improper operation.
13. Waters - means "all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce." Code of Alabama 1975, Section 22-22-1(b)(3). Waters" include all navigable waters" as defined in Section 502(7) of the FWPCA, 22 U.S.C. Section 1362(7), which are within the State of Alabama.
14. Week - means the period beginning at twelve midnight Saturday and ending at twelve midnight the following Saturday.

F. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

## G. Effluent Toxicity Requirements

ADEM Water Quality Standards as found in Chapter 6-10 of the Department's Rules and Regulations, require that State waters be free from substances attributable to sewage, industrial wastes or other wastes, in concentrations or combinations which are toxic or harmful to aquatic life to the extent commensurate with the designated usage of such waters. In assessing compliance with these regulations, this permit requirement will be applied to assure that the instream waste concentration of the permittees effluent is less than or equal to the no effect level of that effluent. In satisfying such requirements, the permittee is authorized to discharge from DSN 001 and 002 only in accordance with the following conditions:

1. The permittee shall, within 90 days after issuance of this permit, submit a proposed plan of study for performing bioassays on a flow weighted combination of effluent from DSN 001 and 002. The proposed plan of study shall be completed in accordance with the attached 'Outline of Bioassay Plans of Study'. Subsequent corrected plans of study shall be resubmitted within 20 days after Department comment and shall address all comments by the Department. Within the same 30 days, the permittee shall submit the results of any known biological toxicity data related to these outfalls, unless these data have previously been submitted to the Department.
2. Within 30 days after notification by the Department of approval of the Bioassay Plan of Study, the permittee shall initiate performance of acute bioassays on 100% effluent from the flow weighted combination of DSN 001 and 002. These tests shall be performed on a quarterly basis through the remainder of the term of this permit, unless the remaining steps in this section are required of the permittee, wherein the Department may modify the frequency and type of testing to be performed. Test results shall be submitted to the Department within 15 days after the last day of each quarter.
3. After completion of six bioassay tests, or performance of its own bioassay tests, the Department may make a determination that the effluent from DSN 001 and 002 is potentially toxic to aquatic life, and may require that additional and/or accelerated testing be done to eliminate uncertainties in the screening or testing process. If the effluent is determined to be potentially toxic, the Department may require that additional bioassay plans of study be submitted in conjunction with this testing, and shall require that these be completed as outlined in III.G.1 and 2. In addition, a plan of study for determining isopleths of waste concentration in the receiving stream, under critical low flow conditions, may be required by the Department. The isopleth study, if required, shall be completed and submitted to the Department within a reasonable time after notification of approval by the Department of the isopleth plan of study. Applicable uncertainty factors and their usage shall be in accordance with EPA guidance and best professional judgement. If applied, such additional testing shall be done and results submitted in conjunction with time frames required by the Department.

4. After completion of testing required by Part III.G.3., if applied to the permittee, a determination shall be made by the Department as to whether the permittee's instream concentration of the DSN 001 and 002 effluent (IWC) is less than the no observed acute effect level (NOEL) of that effluent. If it is not, the permittee shall submit, within 120 days after notification by the Department, a Toxicity Reduction Evaluation (TRE) and implementation schedule. Any subsequent corrected TREs shall be resubmitted within 20 days after Department comment and shall address all comments by the Department. If it is, the permittee shall continue to perform periodic bioassays as specified by the Department, and may be required to submit and implement a TRE if testing indicates that the IWC is greater than the NOEL. Bioassay testing by the Department may also be the basis for determining the NOEL of the DSN 001 and 002 effluent.
5. After approval of the TRE, as required by Part III.G.4., the permittee shall fully implement the TRE within the implementation schedule applied by the Department. After implementation, additional or accelerated bioassay testing may be required by the Department to verify that the DSN 001 and 002 effluent is not toxic to the receiving stream, and to require additional corrective actions if it is.
6. Should the permittees DSN 001 and 002 effluent flow rate or effluent characteristics change such that the effective toxicity of the effluent on the receiving stream is potentially increased, the permittee may be required to repeat any or all of Parts III.G.1. through III.G.5., as appropriate, or this permit may be reopened to incorporate requirements commensurate with those changes.
7. Failure of the permittee to fully comply with any of the provisions of this section shall constitute violation of this permit.

H.

## BEST MANAGEMENT PRACTICES CONDITIONS

SECTION A. GENERAL CONDITIONS1. BMP Plan

For purposes of this part, the terms "pollutant" or "pollutants" refer to any substance listed as toxic under Section 307(a)(1) of the Clean Water Act, oil, as defined in Section 311(a)(1) of the Act, and any substance listed as hazardous under Section 311 of the Act. The permittee shall develop and implement a Best Management Practices (BMP) plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities, including material storage areas; plant site runoff; in-plant transfer, process and material handling areas; loading and unloading operations, and sludge and waste disposal areas, to the waters of the United States through plant site runoff; spillage or leaks; sludge or waste disposal; or drainage from raw material storage.

2. Implementation

The plan shall be developed within six months after the effective date of this permit and shall be implemented as soon as practicable but not later than 18 months of the permit, unless a later date is specified by the Director.

3. General Requirements

The BMP plan shall:

- a. Be documented in narrative form, and shall include any necessary plot plans, drawings or maps.
- b. Establish specific objectives for the control of pollutants.
  - (1) Each facility component or system shall be examined for its potential for causing a release of significant amounts of pollutants to waters of the United States due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc.
  - (2) Where experience indicates a reasonable potential for equipment failure (e.g., a tank overflow or leakage), natural condition (e.g., precipitation), or other circumstances to result in significant amounts of pollutants reaching surface waters, the plan should include a prediction of the direction, rate of flow, and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

- c. Establish specific best management practices to meet the objectives identified under paragraph b of this section, addressing each component or system capable of causing a release of significant amounts of pollutants to the waters of the United States, and identifying specific preventative or remedial measures to be implemented.
  - d. Include any special conditions established in Section B of this part.
  - e. Be reviewed by plant engineering staff and the plant manager.
4. Documentation

The permittee shall maintain the BMP plan at the facility and shall make the plan available to the permit issuing authority upon request.

5. BMP Plan Modification

The permittee shall amend the BMP plan whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.

6. Modification for Ineffectiveness

If the BMP plan proves to be ineffective in achieving the general objective of preventing the release of significant amounts of pollutants to surface waters and the specific objectives and requirements under paragraphs b and c of Section 3, the permit shall be subject to modification pursuant to 40 CFR 122.62 or 122.63 to incorporate revised BMP requirements. Any such permit modification shall be subject to review in accordance with the procedures for evidentiary hearings set forth in 40 CFR Part 124.

SECTION B. SPECIAL CONDITIONS

NONE.

- I. The company shall notify the Director, ADEM, in writing not later than sixty (60) days prior to instituting use of any additional biocide corrosion inhibitor or chemical additive used in the cooling system regulated by this permit other than chlorine or those previously reported to the Alabama Department of Environmental Management. Such notification shall include:
- a. name and general composition of biocide or chemical,
  - b. 96-hour median tolerance limit data for organisms representative of the biota of the waterway into which the discharge will ultimately reach,
  - c. quantities to be used,
  - d. frequencies of use,
  - e. proposed discharge concentrations, and
  - f. EPA registration number, if applicable.

The use of biocide containing tributyl tin, tributyl tin oxide, zinc, chromium or related compounds in cooling system(s) regulated by this permit is prohibited.

3 7 00032

J. RCRA Wells

The permittee shall monitor the treated effluents from the RCRA Corrective Action Wells number 1, 2, 3, 4, & 5 for the following constituents on a once per quarter basis:

- \* pH
- Mercury, Total
- Benzene
- Toluene
- Chlorobenzene
- Chloroform
- 1,2-Dichlorobenzene
- 1,4-Dichlorobenzene

Sampling techniques, preservation, analysis and handling shall be in accordance with EPA approved methods (such as 40 CFR 136) and techniques. All data shall be submitted, on forms supplied by the Department within 60 days after the end of each calendar quarter. After sampling of these wells for a sufficient period of time, if levels in the effluent are consistent and/or at levels of concern or nonconcern to the Department, the frequency of monitoring may be reduced or increased, as appropriate.

\*pH monitoring is not required at wells 3, 4 and 5.

COMPANY NAME: Olin Chemicals  
LOCATION: McIntosh, AL 36553

MONTH , 19

NPDES # AL0001945

N001: Treated process wastewater from diaphragm cell chlorine sodium chlorate, and sodium perchlorate plants, treated groundwater from RCRA corrective actions wells #1, #2, #3, #4, & #5, treated sanitary wastewaters, coal pile runoff, noncontact cooling water, and stormwater runoff.

[illegible]

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Signature of Responsible Official**

Date: \_\_\_\_\_

COMPANY NAME: Olin Chemicals  
LOCATION: McIntosh, AL 36553

3 7 00034

MONTH           , 19       

NPDES # AL0001945

DSN001a: Process wastewater from diaphragm cell chlorine, sodium chlorate, and sodium hypochlorite plants, treated groundwater from RCRA Corrective Action Wells #3 & 5, and coal pile runoff.

PARAM	FLOW	pH	Cu,T	Pb,T	Ni,T	TRC	TSS						
AVG	--	N/A	9.8	4.8	7.4	17.0	911						
MAX	--	5.0-9.0	24	11.8	19.4	28.0	1823						
UNITS	--	s.u.	lbs/day	lbs/day	lbs/day	lbs/day	lbs/day						
FREQ	daily	daily	1/quar.	1/quar.	1/quar.	daily	1/week						
DATE	1												
	2												
	3												
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	24												
	25												
	26												
	27												
	28												
	29												
	30												
	31												
AVG													
MAX													

I certify under penalty of law that this document and all attachments were prepared under the direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Responsible Official \_\_\_\_\_ Date: \_\_\_\_\_

3 7 00035

COMPANY NAME: Olin ChemicalsLOCATION: McIntosh, AL 36553MONTH           , 19       NPDES # AL0001945

DSN001b: Treated sanitary wastewaters

PARAM	FLOW	BOD <sub>5</sub>	TSS										
AVG	--	30	30										
MAX	--	45	45										
UNITS	--	mg/l	mg/l										
FREQ	1/week	1/quar.	1/quar.										
DATE	1												
	2												
	3												
	4												
	5												
	6												
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	30												
	31												
AVG													
MAX													

I certify under penalty of law that this document and all attachments were prepared under the direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Responsible Official \_\_\_\_\_  
ADEM Form 43 8/95

Date: \_\_\_\_\_

COMPANY NAME: Olun Chemicals  
LOCATION: McIntosh, AL 36553

NPDES # AL0001945

[illegible]

truthfully under penalty of law that this document and all attachments were prepared under the direction or supervision of [redacted] in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature \_\_\_\_\_ Responsible Official \_\_\_\_\_  
ADEM Form \_\_\_\_\_

**Date:** \_\_\_\_\_

3 7 00037

NPDES # AL0001945

[illegible]

I certify under penalty of law that this document and all attachments were prepared under the direction or supervision of someone with authority to bind the agency, or that I am an authorized officer of the agency and the information is true and accurate. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Responsible Official \_\_\_\_\_ Date: \_\_\_\_\_